

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
LAREDO DIVISION**

IRMA RUIZ RAMIREZ,

Plaintiff,

**CIVIL ACTION
NO. 5:21-CV-125**

v.

**ROSEMARY GONZALES
MARK ANTHONY GONZALES
EL CHALALA INC.,**

Individually and in Their Official Capacities,

Defendants,

**PLAINTIFF'S SECOND MOTION FOR DEFAULT JUDGMENT
PURSUANT TO Fed R. CIV. P. 55 (a)(b)(1)**

**TO THE HONORABLE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF TEXAS:**

Before the Court is Plaintiff IRMA RUIZ RAMIREZ acting Pro Se pursuant to the Sixth Amendment of the United States Constitution files the foregoing Default Judgment Motion and in support thereof Plaintiff would show as follow:

PROCEDURAL POSTURE

This civil Actions was instituted by Plaintiff IRMA RUIZ RAMIREZ a resident of Laredo Texas, and Mexican American Citizen against the RICOMEN Defendants Rosemary Gonzales, Mark Anthony Gonzales and El Chalala Inc., and pursuant to 42 USC Sections 1981-1988 of the Civil rights Act and RICO Act, et seq.,

Defendants were properly served with Summons and Complaint and every Motion and document filed with this Court.

Plaintiff filed his first Motion for Default Judgment which this Court for unknown reasons Denied it, despite defendants' refusal to plead or file defense thereof. Woodfield V. Bowman, 193 F.3d 354, 362 (5th Cir. 1999)

On April 12th 2022, this entered Order, instructing Plaintiff to Amend Complaint despite the well pleaded Complaint and pursuant the Supreme Court holding in Twombly and Iqbal. Which was timely filed on May 10th 2022 and pursuant the Federal Provision 28 USC Section 1746.

Over 21 days elapsed since the date of the filing of said Amended Complaint which was also served on the Defendants' mailing address of record. In clear disregard for this Court Order and acting as last decision maker the Defendants refuse to plead or file defense before this Court.

CONCLUSION AND PRAYER

Default Judgment, is proper in this matter because the defendants are guilty of fraudulent and flagrant violation of Plaintiff' clear established federal Statutory and Constitutional rights for which Plaintiff prays the Court enter Default

Judgment pursuant to Fed. R. Civ. P. 55 (a)(b)(1). Beside Defendants failed to file response as ordered by this Court despite Defendants were properly and timely served with the Amended Complaint.

1 The Clerk should enter default Judgment against Defendants GRANTING the Original Complaint and Amended Complaint for the relief requested.

In abeyance of relief sought. Respectfully submitted:



IRMA RUIZ RAMIREZ

Plaintiff Pro Se

CERTIFICATE OF SERVICE

I, IRMA RUIZ RAMIREZ, Plaintiff herein, certify under penalty of perjury that the foregoing Second Motion for default Judgment is true and correct and was transmitted to the Clerk of the U.S. District Court Southern District of Texas 1300 Victoria Street Laredo Texas 78040, with copy to the Defendants to the address of record. Via U.S. Postal Service First Class pursuant to 28 USC Section 1746.

Dated and signed on this the 8th day of June 2022.



IRMA RUIZ RAMIREZ

Plaintiff Pro Se
3407 North Buena Vista Avenue
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